

**REMARKS**

Claims 1-7 remain in the application. The applicant respectfully requests that this amendment be entered on the grounds that it places the case in condition for allowance.

Claims 1-3 and 5-6 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent Number 6,745,538 to Marioni.

Applicant submits herewith a terminal disclaimer in the present application with respect to issued patent number 6,745,538.

Claims 4 and 7 were objected to as being dependent upon a rejected base claim. Applicant submits that in view of the present submission of a terminal disclaimer to overcome the double patenting objection, the objection to claims 4 and 7 is now moot.

In light of the above amendments and remarks, applicant submits that all the claims of record are allowable and respectfully requests that this application be passed to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL, No. EV456688079US in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 21, 2005.

By: Marc Fregoso  
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Dated: July 21, 2005

Respectfully submitted,

**SNELL & WILMER L.L.P.**

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